



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 07-030

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

1. Statutory Authority

Section 49.155 (6), Stats., does not specify how frequently each county must set its maximum reimbursement rate for child care services. However, that subsection provides that the maximum reimbursement rate must be set at a rate so that at least 75% of the number of places for children within the licensed capacity of all child care providers in that county can be purchased at or below that maximum rate. Arguably, under the proposed rule, in 2007, fewer than 75% of the number of places will be able to be purchased at the maximum reimbursement rate.

2. Form, Style and Placement in Administrative Code

a. In s. DWD 56.06 (1) (a) 1. a., “a.” should not be underscored. Also, under current drafting rules, it would be preferable to create a new subd. 1m. rather than to divide subd. 1. into subdivision paragraphs. [See s. 1.03 (6), Manual.]

b. In the text of SECTION 2, the full rule citation should precede the new language.

c. It appears that s. DWD 56.06 (1) (b) should also be modified to clarify that counties do not have to conduct an annual survey for 2007, if that is the intent of the proposed rule.